

Civil Minutes

Time Set: 3:30
Start Time: 3:33
End Time: 4:40

CSX Transportation Inc.

(X) Plaintiff () Government

vs.

Norfolk Southern Railway Company
et al

Defendant(s)

Civil Case Number:

2:18cv530

Date:

1/10/2023

Presiding Judge:

Robert J. Krask

Court Reporter

Jody Stewart, OCR

Courtroom Deputy:

B. Titus

Proceedings:

The matter came on for a hearing to address the pending motions in limine (ECF Nos. 337, 349, 465, and 473).

Benjamin Lucas Hatch, Robert William McFarland, Jeanne Elizabeth Noonan, V. Kathleen Dougherty, William Cole Geddy appeared on behalf of the Plaintiff, CSX Transportation, Inc. Alan Durrum Wingfield, Michael Edward Lacy, Kathleen Michelle Knudsen, Massie Payne Cooper, Tara L Reinhart appeared on behalf of the Defendant, Norfolk Southern Railway Company. Alexander Ryan McDaniel and W. Ryan Snow appeared on behalf of the Defendant, Norfolk & Portsmouth Belt Line Railway Company.

Comments and questions by the Court. Responses of counsel heard.

The Court ruled as follows: ECF No. 465 - The Court, therefore, declines to exclude Dr. Marvel's opinions based on NS's arguments; ECF No. 473 - The Court **DENIES IN PART AND GRANTS IN PART** Belt Line's motion; ECF No. 337 - Norfolk Southern's motion *in limine* regarding the use of internal emails is **DENIED WITHOUT PREJUDICE**; ECF No. 349 - Belt Line's motion *in limine* to exclude evidence and argument regarding the use of internal emails is **DENIED WITHOUT PREJUDICE**.

Court to prepare an order.

Court adjourned.